

MPD
6/19/04

PATENT
139121

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Stm (305c)
Q
6/21/04

Applicant: Gutmark, et al.

Serial No.: 10/811,219

Filed: March 26, 2004

For: METHODS AND APPARATUS FOR
OPERATING GAS TURBINE ENGINES

Group Art Unit:

Examiner:

RESPONSE TO NOTICE RE NASA

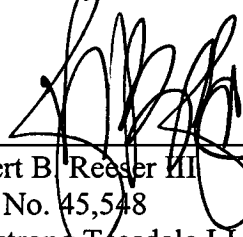
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

RECEIVED
JUN 16 2004
LICENSING & REVIEW

Sir:

In response to the Notice dated June 3, 2004 (copy attached), enclosed herewith is a Declaration Under Section 305(c) of the National Aeronautics and Space Act of 1958. This Declaration has been prepared and signed by the inventor(s), Ephraim Jeff Gutmark, Bryan W. Callender, and Steven Martens.

Respectfully submitted,



Robert B. Reaser III
Reg. No. 45,548
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63012
(314) 621-5070

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gutmark et al. :
Serial No.: Unassigned : Art Unit: Unassigned
Filed: TBD : Examiner: Unassigned
For: METHODS AND APPARATUS FOR : ATTN: LICENSING AND REVIEW
OPERATING GAS TURBINE ENGINES :

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Licensing and Review

RECEIVED
JUN 16 2004
LICENSING & REVIEW

**DECLARATION UNDER SECTION 305(c) OF THE
NATIONAL AERONAUTICS AND SPACE ACT OF 1958**

Sir:

We, Ephraim Jeff Gutmark, Bryan W. Callender, and Steven Martens, do hereby declare:

That we are the inventors of the invention described and claimed in the above-referenced U.S. patent application;

That the invention was made while we were employed by the General Electric Company, the assignee of the subject invention, using facilities, equipment, materials, funds, information and services furnished by the General Electric Company;

That the invention set forth in the above-referenced U.S. Patent Application was not made (conceived or first actually reduced to practice) under nor is there any known relationship of the making of the invention to the performance of any work under any contract of the National Aeronautics and Space Administration;

That all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

3-22-04
Date

Ephraim Jeff Gutmark
EPHRAIM JEFF GUTMARK

3/22/04
Date

Bryan W. Callender
BRYAN W. CALLENDER

3/22/07
Date

Steven Martens
STEVEN MARTENS



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/811,219	03/26/04	GUTMARK	139121

JOHN S. BEULICK
ARMSTRONG TEASDALE LLP
SUITE 2600
ONE METROPOLITAN SQUARE
ST. LOUIS, MO 63102

EXAMINER	
ART UNIT	PAPER NUMBER

PATENT & TRADEMARK OFFICE
DATE MAILED: **MAILED**

JUN 3 2004

LICENSING & REVIEW

**IF NO RESPONSE TO THIS NOTICE IS RECEIVED WITHIN FORTY-FIVE DAYS, A
FORMAL REQUIREMENT WILL BE ISSUED**

The subject matter of this application appears to:

- ☐ be "useful in the production or utilization of special nuclear material or atomic energy" as recited in 42 U.S.C. 2182 (Department of Energy (DOE)).
- ☒ "have significant utility in the conduct of aeronautical and space activities" as recited in 42 U.S.C. 2457 (National Aeronautics and Space Administration (NASA)).

Accordingly, no patent can issue on this application unless applicant(s) file a statement (under oath or in the form of a declaration as provided by 37 CFR 1.68) setting forth (1) the full facts concerning the circumstances under which the invention was made and conceived and (2) the relationship (if any) of the invention to the performance of any work under any contract or other arrangement with the Agency(ies) noted above. On the reverse side of this form is an example of an acceptable format for this statement. The language appearing in paragraphs III and/or IV of the example *must* appear if applicant is attempting to establish that no relationship (under item 2 above) exists.

If the invention disclosed in this application was developed under a contract, grant or cooperative agreement between the Agency indicated above and a person, small business or non-profit organization and rights to the invention have been determined by specific reference to 35 U.S.C. 202 in the contract, grant or cooperative agreement, then applicant need not submit the statement described above. Instead, applicant may file a verified statement (under oath or in the form of a declaration, 37 CFR 1.68) setting forth the information required by 35 U.S.C. 202(c)(6).

IF NO STATEMENT HAS BEEN RECEIVED WITHIN FORTY-FIVE DAYS OF THE MAIL DATE INDICATED ABOVE, a formal requirement for statement will then be issued. No provision is made for extension of the statutory thirty-day period for response to the formal requirement and the penalty for failure to file an acceptable and timely statement is abandonment of the application. Therefore, applicants are strongly encouraged to submit a statement at this time in order to avoid the issuance of a formal requirement.

IT IS IMPORTANT TO NOTE that the statement must accurately represent the property rights situation of the claimed invention if and when the application is found allowable. Thus, if during prosecution before the examiner, the claimed invention is so altered or the property rights situation so changed as to impact the accuracy of a statement submitted earlier, a supplemental statement must be filed. Failure to submit such additional information where appropriate may be considered a false representation of material facts and render the patent owner vulnerable to loss of patent rights and other sanctions as set forth in the statutes. The PTO will not review allowed applications for this possibility. The responsibility for complying with the statutes rests with the applicants.

Any questions regarding this requirement should be directed to Licensing and Review at (703) 305-4191

**PLEASE DIRECT ALL COMMUNICATIONS RELATING TO THIS MATTER TO THE
ATTENTION OF LICENSING AND REVIEW**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ephraim Jeff Gutmark, et al. :
Serial No.: 10/811,219 : Group Art Unit:
Filed: March 26, 2004 : Examiner:
For: METHODS AND APPARATUS FOR OPERATING :
GAS TURBINE ENGINES :

**CERTIFICATE OF MAILING BY EXPRESS MAIL TO
THE COMMISSIONER OF PATENTS AND TRADEMARKS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: LICENSING AND REVIEW

Express Mail Mailing Label No.: EL977938535US
Date of Mailing: June 9, 2004

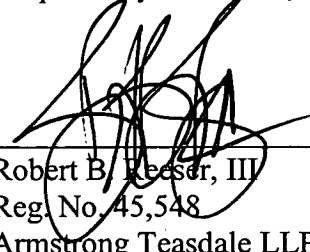
RECEIVED
JUN 16 2004
LICENSING & REVIEW

I hereby certify that the documents listed below:

- Response to Notice re NASA (1 page)
- Declaration Under §305(c) of the NASA Act of 1958 (2 pages)
- Copy of Request for NASA Declaration (1 page)
- Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Licensing and Review.

Respectfully submitted,


Robert B. Reiser, III
Reg. No. 45,548
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63012
(314) 621-5070